

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STEVEN HALL,	:	MOTION TO VACATE
Movant,	:	28 U.S.C. § 2255
	:	
v.	:	CRIMINAL INDICTMENT NO.
	:	1:05-CR-0073-WSD-AJB-1
UNITED STATES OF AMERICA,	:	
Respondent.	:	CIVIL ACTION NO.
	:	1:12-cv-0987-WSD

**UNITED STATES MAGISTRATE JUDGE’S FINAL
REPORT AND RECOMMENDATION**

The matter is before the Court on Movant’s amended memorandum in support of his 28 U.S.C. § 2255(f)(3) motion and his construed motion to vacate, [Docs. 40, 44]; Movant’s motion to file an out-of-time § 2255 motion and his construed motion for equitable tolling, as supplemented, [Docs. 41, 42, 45, 46]; Respondent’s response to Movant’s motion for equitable tolling, [Doc. 49]; and Movant’s notice of filing a withdrawal of his memorandum in support of his § 2255 motion and his notice of filing a voluntary dismissal of his § 2255 motion, [Docs. 52, 54].

In his notices regarding withdrawal, Movant states that he totally withdraws his amended memorandum in support of his § 2255 motion and that he withdraws “the Petition ENTIRELY!” [Docs 52, 54.] As a result, the construes Movant’s latest filings as motions to voluntarily dismiss this action.

IT IS RECOMMENDED that Movant's notices, [Docs. 52, 54], construed as a motion to voluntarily dismiss his § 2255 motion, be **GRANTED**.

IT IS FURTHER RECOMMENDED that Movant's amended memorandum in support of his § 2255(f)(3) motion and his construed motion to vacate, [Docs. 40, 44], and Movant's motion to file an out-of-time § 2255 motion and his construed motion for equitable tolling, as supplemented, [Docs. 41, 42, 45, 46], be **DENIED** as moot.

The Clerk of Court is **DIRECTED** to terminate the referral of this § 2255 action to the undersigned.

IT IS SO RECOMMENDED AND DIRECTED, this 26th day of July, 2012.



ALAN J. BAVERMAN
UNITED STATES MAGISTRATE JUDGE